

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CARRIE CLEMENTE,

Plaintiff,

No. 15-12953

v.

District Judge Paul D. Borman
Magistrate Judge R. Steven Whalen

RIVERVIEW COMMUNITY SCHOOL
DISTRICT, ET AL.,

Defendants.

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ORDER REGARDING DEPOSITIONS OF MINORS

At a status conference on March 10, 2016, counsel for the parties informed the Court that there are between 20 and 25 eyewitnesses to the events giving rise to this action that are high school students under the age of 18. Some, if not all of these minors have provided written statements to the Riverview Community School District (“School District”) and/or law enforcement authorities. Defendants School District and Donald Ukrainec wish to depose these witnesses. It is anticipated that the deposition of each minor will be relatively brief, and will unlikely exceed one hour in most cases. As discussed with counsel at the status conference, the following protocol will govern depositions:

1. So that the 20 to 25 eyewitnesses may be deposed, the Defendants are granted leave under Fed.R.Civ.P. 30(a)(2)(A) to conduct more than 10 depositions.

2. Given their anticipated brevity, the depositions of the students will be scheduled in groups of at least five students on any given day, unless the parties agree to schedule fewer than five witnesses.

3. The first two groups of students will be deposed between April 11, 2016 and May 11, 2016. The remaining groups of students will be deposed by June 30, 2016. Counsel for Defendant School District will coordinate with the School District, the Superintendent, and/or other School District officials and employees to send notice to parents of minor witnesses advising them of the purpose, date, time, and place of the depositions, their right to be present at the depositions, and their right to consult and obtain their own legal counsel.

4. The Plaintiff may notice depositions of other witnesses, including the School District Superintendent, the Vice-Principal of the school, and Defendant Donald Ukraineec, for after May 11, 2016.

5. Before the deposition of any student, the Defendants shall produce to Plaintiff's counsel any unredacted copies of the student's written statement, if Defendants in fact have custody or control of the unredacted statement.

6. The identity of any minor witness, as disclosed in the depositions, in unredacted witness statements, or in any other form, shall not be disclosed to any person or entity not involved in the prosecution or defense of this lawsuit. Any pleading, motion, or other paper filed with this Court that references any minor witness will refer to that witness with initials only. If any transcript or other document that contains the name of a minor witness is filed with the Court, the name of the minor will be removed, and the document will be redacted to refer to that individual only by initials.

IT IS SO ORDERED.

s/ R. Steven Whalen
R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

Dated: March 10, 2016

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was sent to parties of record on March 10, 2016, electronically and/or by U.S. mail.

s/Carolyn M. Ciesla
Case Manager to the
Honorable R. Steven Whalen